

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

COBBLESTONE WIRELESS, LLC,
Plaintiff,

v.

T-MOBILE USA, INC.
Defendant,

NOKIA OF AMERICA CORPORATION,
ERICSSON INC.
Intervenors.

CASE NO. 2:22-cv-00477-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

COBBLESTONE WIRELESS, LLC,
Plaintiff,

v.

AT&T SERVICES, INC.; AT&T MOBILITY
LLC; AT&T CORP.,
Defendants,

NOKIA OF AMERICA CORPORATION,
ERICSSON INC.
Intervenors.

CASE NO. 2:22-cv-00474-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

COBBLESTONE WIRELESS, LLC,
Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS,
Defendant,

NOKIA OF AMERICA CORPORATION,
ERICSSON INC.
Intervenors.

CASE NO. 2:22-cv-00478-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff Cobblestone Wireless, LLC (“Cobblestone”) files this Unopposed Motion to Amend the Docket Control Order. Cobblestone requests the following extensions to the close of fact discovery and related deadlines to accommodate the complex scheduling and coordination of depositions of a greater than expected number of witnesses, as well as ongoing negotiations about the scope of 30(b)(6) topics. The parties have extensively met and conferred over many weeks to negotiate the scheduling and scope of depositions. This process resolved many disputes, but in the end, Defendants were not able to make several of its witnesses available during the fact discovery period. Further, one of Cobblestone’s witnesses was made available during fact discovery, but Defendants requested that Cobblestone postpone the deposition by one week, outside of the original close of discovery.

Because Defendants’ witnesses were not made available during the current fact discovery period and because Defendants requested to postpone Cobblestone’s witness until after the close of fact discovery, Cobblestone seeks to extend the close of fact discovery by 11 days. To accommodate that extension, Cobblestone further requests a corresponding 11-day extension for opening and rebuttal expert reports, the expert discovery deadline, and the deadline for expert and dispositive motions and responses. With the requested extension, the briefing on dispositive and expert motions should be complete more than three weeks before the August 21, 2024 Pretrial Conference. For these reasons, Cobblestone submits good cause exists for the requested extensions.

This extension is not sought for purposes of delay and Cobblestone does not anticipate any other deadlines will be affected. A proposed Amended Docket Control Order is attached herewith.

Current Deadline	New Deadline	Description
July 1, 2024	July 12, 2024	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. ¹ Motions for Summary Judgment shall comply with Local Rule CV-56.
June 17, 2024	June 28, 2024	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions) No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.
June 17, 2024	June 28, 2024	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. <u>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <i>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</i></u>
June 14, 2024	June 25, 2024	Deadline to Complete Expert Discovery
June 3, 2024	June 14, 2024	Serve Disclosures for Rebuttal Expert Witnesses
May 13, 2024	May 24, 2024	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
May 6, 2024	May 17, 2024	Deadline to Complete Fact Discovery and File Motions to Compel Discovery

¹ The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not controvert the facts set out by movant and has no evidence to offer in opposition to the motion.” If the deadline under Local Rule CV 7(e) exceeds the deadline for Response to Dispositive Motions, the deadline for Response to Dispositive Motions controls.

Cobblestone first proposed the revised schedule to Defendants on Monday, April 29; however, Defendants did not provide their position until Friday, May 3, requesting that Cobblestone make this motion unopposed.

Dated: May 3, 2024

/s/ Amy E. Hayden by permission Andrea Fair

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served via email on all counsel of record on this 3rd day of May, 2024.

/s/ Andrea Fair
Andrea Fair

CERTIFICATE OF CONFERENCE

The parties have met and conferred to discuss the relief requested in this Motion. This Motion is unopposed.

/s/ Andrea Fair
Andrea Fair